

REMARKS/ARGUMENTS

Favorable reconsideration of this application, as presently amended and in light of the following discussion, is respectfully requested.

Claims 1-20 are presently active in this case. The present Amendment adds Claims 17-20.

In the outstanding Office Action, Claims 1, 3-8, and 10-12 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Bang et al. (U.S. Patent No. 5,715,163) in view of Snyder et al. (U.S. Patent No. 6,664,989). Claim 2 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Bang et al. and Snyder et al., and further in view of Houlberg (U.S. Patent No. 6,172,747). Claim 9 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Bang et al. and Snyder et al., and further in view of Beeks et al. (U.S. Patent No. 6,104,969). Claims 13-16 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Bang et al. and Snyder et al., and further in view of Muller et al. (U.S. Patent No. 6,072,473).

In response to the rejection of Claims 1, 3-8, and 10-12 under 35 U.S.C. § 103(a), Applicant respectfully requests reconsideration of this rejection and traverses the rejection as discussed next.

The Bang et al. patent discloses an aircraft navigation control system including a flight management system control display unit, a navigation display unit, logic circuitry, and a cursor control input device. The Office Action alleges on page 2 that the Bang et al. patent discloses all elements of Claim 1 except “moving a cursor in a continuous manner,” but alleges that the Snyder et al. patent, directed to cursor control enhancements, teaches this feature.

Applicant respectfully submits that the Bang et al. patent does not, in fact, teach or suggest “moving a cursor in a discrete manner on the display, responsive object by responsive object, so as to designate a responsive object,” as alleged on page 2 of the Office Action. In the Bang et al. patent, “[a] manual input cursor control device is provided which is

suited for receiving manual inputs from the flight crew to control the position of the cursor on the navigational display.”¹ Furthermore, “[t]he cursor movement is relative. That is, if a user drags his or her finger to the right, the cursor will move to the right correspondingly.”² The word “discrete” is used in a passage cited in the Office Action in support of the above-mentioned allegation; however it carries a totally different meaning in the cited passage than it does in the Office Action, and than in the claimed method. In the Bang et al. patent, “when waypoints are close enough that individually selecting one is not feasible” (col. 5, lines 36-37), “the system automatically responds by displaying discrete control buttons” (col. 5, lines 40-41). Clearly, “discrete” does not pertain to a movement of the cursor as in the claimed invention which recites “moving the cursor in a discrete manner on the display,” but rather to a distinct or demarcated nature of the buttons. In fact, as cited above, the discrete buttons are only displayed if waypoints are too close for one to be normally selected using a cursor, but the cursor movement is not discrete.

The outstanding Office Action does not allege that the Snyder et al. patent teaches this feature of the Bang et al. patent. Therefore, even if the combination of the Bang et al. and Snyder et al. patents is assumed to be proper, the combination fails to teach every element of the claimed invention. Specifically, the combination fails to teach the claimed “moving the cursor in a discrete manner on the display, responsive object by responsive object, so as to designate a responsive object,” along with the other features recited in Claim 1. Accordingly, Applicant respectfully traverses, and requests reconsideration of, this rejection based on these patents.³

¹ See Bang et al., col. 1, lines 59-63.

² See Bang et al., col. 4, lines 21-23; see also col. 4, lines 15-20.

³ See MPEP 2142 stating, as one of the three “basic criteria [that] must be met” in order to establish a *prima facie* case of obviousness, that “the prior art reference (or references when combined) must teach or suggest all the claim limitations,” (emphasis added). See also MPEP 2143.03: “All words in a claim must be considered in judging the patentability of that claim against the prior art.”

In response to the rejection of Claim 2 under 35 U.S.C. § 103(a), Applicant respectfully requests reconsideration of this rejection and traverses the rejection, as discussed next.

The Office Action states on page 5 that the Bang et al. and Snyder et al. patents do not teach “an arrow key on a keyboard,” but alleges that the Houlberg patent “discloses moving the cursor in the discrete manner on the display with an arrow key on a keyboard.” However, Applicant respectfully submits that the Houlberg patent does not teach “moving the cursor in a discrete manner on the display, responsive object by responsive object, so as to designate a responsive object,” as recited in independent Claim 1 and shown above not to be taught by any proper combination of the Bang et al. and Snyder et al. patents.

In the Houlberg patent, there are several cursors, such as 95, 96, 97, and 98, but no responsive object selected by a cursor. Therefore, moving the cursor in a discrete manner on the display “responsive object by responsive object, so as to designate a responsive object” does not make sense in the context of the Houlberg patent. Accordingly, Applicant respectfully traverses, and requests reconsideration of, this rejection based on this patents.

In response to the rejection of Claim 9 under 35 U.S.C. § 103(a), Applicant respectfully requests reconsideration of this rejection and traverses the rejection, as discussed next.

The Office Action states on page 6 that the Bang et al. and Snyder et al. patents do not teach “moving the cursor in the discrete manner on the display is activated during an emergency mode of the aircraft,” but alleges that the Beeks patent teaches these features. However, Applicant respectfully submits that the Beeks patent does not teach “moving the cursor in a discrete manner on the display, responsive object by responsive object, so as to designate a responsive object,” as recited in independent Claim 1 and shown above not to be taught by any proper combination of the Bang et al. and Snyder et al. patents.

In the Beeks patent, there is “an input device 24 configured to receive an input 28 from a user 32 and generate an input device signal 36 that represents the user’s selected movement of a cursor 40 on a display 44.”⁴ Moreover, the Beeks patent states that “the input device 24 may be any appropriate input system, such as a mouse, light pen, joystick, touch pad, or the like.”⁵ These devices are all continuous, not discrete. This is further supported by the fact that “the motion sensing device 56 senses movement associated with the input device 24”⁶ and “[t]he turbulence controller 48 generates a compensated output signal 60 based on the input device signal 36 and the combined motion signal 52.”⁷ There is always movement at the input device in the Beeks patent since structures are disclosed that seek to extract the intended movement from unwanted movement resulting from turbulence, for example. Therefore, there cannot be anything discrete regarding the input device which controls the cursor. Furthermore, the Beeks patent does not disclose any “responsive object by responsive object, so as to designate a responsive object” behavior or function. Accordingly, Applicant respectfully traverses, and requests reconsideration of, this rejection based on this patent.

In response to the rejection of Claim 13-16 under 35 U.S.C. §103(a), Applicant respectfully requests reconsideration of this rejection and traverses the rejection as discussed next.

The Office Action states on page 6 that the Bang et al. and Snyder et al. patents do not teach “the display includes a plurality of displays, and moving the cursor from one display to another display in the plurality of displays,” but alleges that the Muller et al. patent teaches this feature. However, Applicant respectfully submits that the Muller et al. patent does not teach “moving the cursor in a discrete manner on the display, responsive object by responsive

⁴ See Beeks, col. 2, lines 46-49.

⁵ See Beeks, col. 3, lines 6-8.

⁶ See Beeks, col. 3, lines 34-35; see also col. 3, lines 36-48.

⁷ See Beeks, col. 3, lines 49-51.

object, so as to designate a responsive object,” as recited in independent Claim 1 and shown above not to be taught by any proper combination of the Bang et al. and Snyder et al. patents.

In the Muller et al. patent, the cursor is not moved discretely: “a first part 45 serving to command the displacement of a cursor 46 on the screen 8 by means of a displacement in homothetic relation to that of the pilot’s finger.”⁸ Furthermore, the Muller et al. patent does not disclose any “responsive object by responsive object, so as to designate a responsive object” behavior or function. Accordingly, Applicant respectfully traverses, and requests reconsideration of, this rejection based on this patent.

Therefore, none of the cited prior art references, considered individually or in combination, teaches or suggests the combination of features recited in Claim 1.

Accordingly, Claims 1-16 are believed to be patentably distinct over the prior art and allowable. The prior art also fails to teach or suggest features recited in dependent Claims 2-16 so that these claims are further believed to be allowable.

In order to vary the scope of protection recited in the claims, new Claims 17-20 are added. New Claims 17-20 find non-limiting support in the disclosure as originally filed, for example in the claims of U.S. Application Serial No. 10/061,281 (now U.S. Patent No. 6,668,215), the parent application which was incorporated by reference in this application. Therefore, the new claims are not believed to raise a question of new matter.⁹ The prior art does not teach or suggest the combination of features of Claim 17 so that Claims 17-20 are believed to be allowable.

⁸ See Muller et al., col. 6, lines 35-39.

⁹ See MPEP 2163.06 stating that “information contained in any one of the specification, claims or drawings of the application as filed may be added to any other part of the application without introducing new matter.”

Consequently, in view of the present amendment and in light of the above discussion, the outstanding grounds for rejection are believed to have been overcome. The application as amended herewith is believed to be in condition for formal allowance. An early and favorable action to that effect is respectfully requested.

Respectfully submitted,

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